

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE: BANKRUPTCY PROCEEDING

**JON CHRISTOPHER EVANS AND
JOINTLY ADMINISTERED ESTATES**

CASE NO. 09-03763-NPO

Debtors.

Chapter 7

G&B INVESTMENTS, INC.

PLAINTIFF

V.

ADVERSARY PROCEEDING NO. 10-00040 NPO

**DEREK A. HENDERSON, CHAPTER 7 TRUSTEE
FOR THE BANKRUPTCY ESTATE OF JON
CHRISTOPHER EVANS, ET AL**

DEFENDANTS

**DESIGNATION OF EXPERTS
BY MISSISSIPPI VALLEY TITLE INSURANCE COMPANY
AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

PLEASE TAKE NOTICE that Mississippi Valley Title Insurance Company and Old Republic National Title Insurance Company (the "Title Companies") designate the following expert witnesses who may be called to testify at trial:

- 1. James Bruce Davis**
Bean, Kinney & Korman, PC
2300 Wilson Boulevard, Suite 700
Arlington, VA 22201

Mr. Davis is expected to testify as an expert on (a) the customs and practices in the title insurance and mortgage lending industries; (b) Charles Evans's relationship to the Title Companies and other parties in this litigation regarding the mortgage loan transactions and real estate sales transaction pertaining to the real property commonly referred to in this litigation as Tract 4; and (c) the opinions contained in his reports prepared in this case. A copy of Mr. Davis' report is provided to all parties simultaneously with the filing of this designation. In compliance

with the designation requirements of Fed. R. Civ. P. 26(a)(2), Mr. Davis's qualifications, prior testimony, publications, facts or data considered, and a statement of compensation are included in Mr. Davis's report.

Mr. Davis reserves the right to supplement his opinions if additional information is obtained through discovery requiring such supplementation.

2. Van A. Duncan, Jr.
Duncan & Associates, LTD.
Post Office Box 5007
Jackson, MS 39296-5007

Mr. Duncan is expected to testify as an expert as to the valuation of certain real property commonly referred to in this litigation as Tracts T-4 and T-5 (also known as 4A and 4B), Tracts T-6 (also known as 4D), and Tracts T-2 and T-3 (also known as Tracts 4C and 4E) and consistent with the opinions contained in his reports prepared in this case. A copy of these reports are provided to all parties simultaneously with the filing of this designation. In compliance with the designation requirements of Fed. R. Civ. P. 26(a)(2), Mr. Duncan's qualifications, prior testimony, and the facts or data considered are included in Mr. Duncan's report. Mr. Duncan has not authored any publications in the previous ten years. Mr. Duncan is to be compensated at a rate of \$300.00 per hour for his testimony and \$250.00 per hour for research, preparation and pre-trial conferences. Mr. Duncan was paid \$1,500 for each appraisal report produced in this litigation. In the last four years, Mr. Duncan has testified in the following two cases: *Dinkens, et al v. Hailey, et al*, Chancery Court of Madison County, Mississippi (2007); *Entergy v. RWMA, LLC*, Special Court of Eminent Domain, Madison County, Mississippi (2010).

Mr. Duncan reserves the right to supplement his opinions if additional information is obtained through discovery requiring such supplementation.

3. John Howard Shows
Shows Powell PLLC
2950 Layfair Drive, Suite 101
Flowood, MS 39232

Mr. Shows is expected to testify that Charles Evans breached the applicable standard of care of a real estate attorney in the State of Mississippi in failing to (a) prepare and record deed conveying title from Hanover Investments, LLC to White Oaks Investment Company, LLC; and (b) failed to properly report on the status of title in his application and final certificate provided to the Title Companies. In compliance with the designation requirements of Fed. R. Civ. P. 26(a)(2), Mr. Shows's qualifications, prior testimony, publications, and the facts or data considered are included in Mr. Shows's report. Mr. Shows a rate of \$275.00 per hour for his testimony.

Mr. Shows reserves the right to supplement his opinions if additional information is obtained through discovery requiring such supplementation.

Respectfully submitted, this the 1st day of December, 2010.

**MISSISSIPPI VALLEY TITLE INSURANCE
COMPANY and OLD REPUBLIC NATIONAL
TITLE INSURANCE COMPANY**

By: /s/ M. Scott Jones

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***Attorneys with regard to all claims filed against The Title
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/s/ Mason E. Lowe

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CERTIFICATE OF SERVICE

I hereby certify that on this day, notice of the foregoing and a copy of all reports referenced has been served by electronic filing through the ECF System, which provides electronic notice to all parties of record.

This the 1st day of December, 2010.

/s/ M. Scott Jones

M. Scott Jones